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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,386	03/30/2001	Monte J. Rhoads	42390P11045	7368

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EXAMINER

ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 03/12/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

TDH

Office Action Summary

Application No.

09/823,386

Applicant(s)

RHOADS, MONTE J.

Examiner

Md S Elahee

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Because, regarding claim 1, the phrase 'network information' on page 12, line 5, is not disclosed in the specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 7-12, 14, 16, 18, 20, 22 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Tokuda et al. (U.S. Patent No. 5,313,211).

Regarding claim 1, Tokuda teaches an IC card (i.e., wireless interface) to receive wireless signals containing the data (i.e., network appliance's configuration information) (fig.1, fig.2; col.2, lines 16-22, col.6, lines 61-68).

Tokuda further teaches an I/O terminal 105 (i.e., network interface) to receive data (i.e., network information) (fig.1, fig.2; col.2, lines 16-22, col.6, lines 61-68, col.7, lines 53-56).

Regarding claim 7, Tokuda teaches the electronic organizer (i.e., network appliance) further comprises a cover (i.e., wireless interface cover) (fig.3A; col.7, lines 65, 66). Here, IC card is a wireless interface of the electronic organizer.

Regarding claim 8, Tokuda teaches that the network appliance further comprises a liquid crystal display (LCD) (col.6, lines 41-43).

Regarding claims 9, 18 and 24, Tokuda teaches that the wireless signals further comprise radio frequency signals (col.7, lines 60-62).

Regarding claim 10, Tokuda teaches that the wireless interface further comprises a microstrip lines (i.e., radio frequency interface) (col.7, lines 60-62).

Regarding claim 11, Tokuda teaches that the network appliance further comprises a radio frequency transmitter (col.7, lines 37-39).

Regarding claim 12, Tokuda teaches receiving wireless signals containing the data (i.e., network appliance's configuration information) from an external radio device 5 (i.e., wireless device) (fig.1, fig.2; col.2, lines 16-22, col.6, lines 61-68).

Tokuda further teaches decoding the wireless signals (fig.1, fig.2; col.2, lines 16-22, col.6, lines 61-68).

Tokuda further teaches sending the decoded signals to the CPU (i.e., network appliance's microprocessor) (col.8, lines 55-58).

Tokuda further teaches performing amplitude modulation (i.e., converting the decoded signals) to machine-accessible data (i.e., configuration information) (col.8, lines 48-58).

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Tokuda further teaches storing the data (i.e., configuration information) in the network appliance's memory (col.8, lines 46, 47).

Regarding claim 14, Tokuda teaches that the wireless transmitter further comprises a device capable of receiving and decoding a radio frequency signal (col.7, lines 37-39, 60-62).

Regarding claims 16 and 22, Tokuda teaches that the wireless transmitter further comprises a device capable of generating, coding and transmitting a radio frequency signal (col.7, lines 37-39, 60-62).

Regarding claim 20, Tokuda teaches to modulate (i.e., code) a data (i.e., network appliance's configuration information input) to the external radio device (i.e., wireless device) (fig.1, fig.2; col.7, lines 46-48).

Tokuda further teaches transmitting (i.e., generating) a wireless signal (fig.1, fig.2; col.2, lines 16-22, col.6, lines 61-68).

Tokuda further teaches performing amplitude modulation (i.e., encoding) the wireless signal with the data (i.e., configuration information) (col.8, lines 48-58).

Tokuda further teaches supplying (i.e., transmitting) the modulated signal to the electronic organizer (i.e., network appliance) (fig.3A; col.7, lines 53-57).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tokuda et al. (U.S. Patent No. 5,313,211) and in view of Linares et al. (U.S. Patent No. 6,442,032).

Regarding claim 2, Tokuda fails to teach "a rack-mounted appliance". Linares teaches a rack-mounted module (i.e., appliance) (col.1, lines 56-58, col.2, lines 60-62). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tokuda to allow a rack-mounted appliance as taught by Linares. The motivation for the modification is to have doing so in order to provide support guides for the module.

7. Claims 3, 19 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tokuda et al. (U.S. Patent No. 5,313,211) and in view of Blain (U.S. Patent No. 6,032,187).

Regarding claims 3, 19 and 25, Tokuda fails to teach "an Internet Protocol address". Blain teaches an Internet Protocol address (col.3, lines 22-24). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tokuda to allow an Internet Protocol address as taught by Blain. The motivation for the modification is to have doing so in order to receive the incoming data.

8. Claims 4-6, 13, 15, 17, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tokuda et al. (U.S. Patent No. 5,313,211) and in view of Charlier et al. (U.S. Patent No. 6,577,877).

Regarding claim 4, Tokuda fails to teach "a personal digital assistant (PDA)". Charlier teaches a personal digital assistant (PDA) (col.4, lines 27-46). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tokuda to allow a personal digital assistant (PDA) as taught by Charlier. The motivation for the modification is to have doing so in order to have the quick access to the device.

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Regarding claims 5, 17 and 23, Tokuda fails to teach "infrared signals". Charlier teaches infrared signals (col.2, lines 15-24, col.4, lines 27-46). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tokuda to allow infrared signals as taught by Charlier. The motivation for the modification is to have doing so in order to process data signals.

Regarding claim 6, Tokuda fails to teach "infrared interface". Charlier teaches infrared peripheral interface (col.2, lines 15-24, col.4, lines 27-46). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tokuda to allow infrared interface as taught by Charlier. The motivation for the modification is to have doing so in order to communicate with the communication device.

Regarding claim 13 is rejected for the same reasons as discussed above with respect to claims 12 and 5.

Regarding claims 15 and 21 are rejected for the same reasons as discussed above with respect to claims 5 and 16.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cannon et al. (U.S. Patent No. 5,754,954) teach Communication unit with over the air programming, Zicker et al. (U.S. Patent No. 6,134,435) teach Cellular radiotelephone system with remotely programmed mobile stations and Nangle (U.S. Patent No. 6,687,496) teach Memory programming method and system.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

M.E.,

MD SHAFIUL ALAM ELAHEE
March 6, 2004

Allan Hoosain
ALLAN HOOSAIN
PRIMARY EXAMINER for
Fan Tsang.